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The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Despatch Industries, Inc.

File: B-225063

Date: November 5, 1986

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### DIGEST

Where bidder certifies in accordance with the Buy American Act that it intends to supply a domestic product, whether firm complies with its obligation to do so in performing the contract is a matter of contract administration, which the General Accounting Office does not review.

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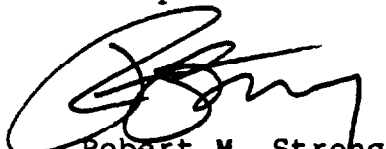
### DECISION

Despatch Industries, Inc. (Despatch), protests the award of a contract to Gemini Bakery Equipment under invitation for bids (IFB) No. M00243-86-B-0009, issued by the Marine Corps.

Despatch alleges that more than 50 percent of the equipment to be supplied by Gemini will come from a Swedish firm so that, in accordance with the Buy American Act, 41 U.S.C. § 10a-d (1982), an evaluation factor should have been assessed against Gemini's bid of \$112,114. Despatch argues that with application of such a factor Despatch would be the low evaluated bidder and thus entitled to the contract award.

Gemini completed the Buy American Act certification in the RFP to the effect that it would supply domestic products, and the government's acceptance of the offer therefore obligates the firm to do so. Whether Gemini in fact complies with this obligation is a matter of contract administration, which we do not review. Tritan Corp., B-218306, May 24, 1985, 85-1 C.P.D. ¶ 601.

The protest is dismissed.

  
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Deputy Associate  
General Counsel

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